



ATTORNEY DOCKET NO. 012755-052700US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: LOCAL MULTIPOINT DISTRIBUTION SYSTEM
Patent No.: 5,809,431
Issued: September 15, 1998
Applicants: BUSTAMANTE, Herman; CHEN, Horen
Serial No.: 08/574,605
Filed: December 6, 1995

Art Unit: 2745
Examiner: D. Armstrong

Commissioner of Patents and Trademarks
Washington, DC 20231

REISSUE DECLARATION

1. We, Herman Bustamante and Horen Chen, as the inventors and applicants of the subject matter contained in U.S. Patent 5,809,431 (the '431 patent), make the following statements contained below.
2. Residence, post office address, and citizenship of each applicant are stated next to each applicant's name at the end of this declaration.
3. The applicants individually have reviewed and do understand the contents of the specification, including the claims, as amended by an amendment accompanying this declaration.
4. Applicants believe that they are the original and first inventors of the subject matter relating to the '431 patent for which a re-issue patent is sought.

5. Applicants acknowledge their duty to disclose to the U.S. Patent Office all information known to the Applicants to be material to the patentability of the subject matter contained in the '431 patent as defined in 37 C.F.R. 1.56.

6. Applicants assigned all their right, title and interest in the '431 patent to Stanford Telecommunications, Inc.

7. Applicants believe that the '431 patent is partly inoperative or invalid by reason of applicants claiming more or less that applicants had a right to claim.

8. In particular, applicants believe that the '431 patent contains errors in its claims, namely claims 1 to 5, in the following aspects:

- (i) Claims 1 to 5 do not claim an invention specifically focused to a single cellular communication system as provided in the specification of the '431 patent;
- (ii) Claims 1 to 5 do not claim an invention relating to a method of initiating radio frequency transmissions between a base station and a subscriber station for a cellular communication system, as provided in the specification of the '431 patent;
- (iii) Claims 1 to 5 do not claim an invention relating to a communication signal configuration arrangement for a cellular communication system as provided in the specification of the '431 patent; and
- (iv) Claims 1 to 5 do not claim an invention relating to a subscriber station in a cellular communication system as provided in the specification of the '431 patent.

9. All statements herein are true but for all statements made on information and belief, which are believed to be true. Further all statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Herman Bustamante

Inventor's Signature: Herman Bustamante Date: January 9, 2001

Residence Address: 1707 St. Helena Drive, Danville, CA 94526

Citizen of: United States

Post Office Address: 1707 St. Helena Drive, Danville, CA 94526

Full Name of Inventor: Horen Chen

Inventor's Signature: _____ Date: _____

Residence Address: 19567 Chardonnay Court, Saratoga, CA 95070

Citizen of: United States

Post Office Address: 19567 Chardonnay Court, Saratoga, CA 95070

SF 1135852 v1



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Full Name of Inventor: Herman Bustamante

Inventor's Signature: _____ Date: _____

Residence Address: 1707 St. Helena Drive, Danville, CA 94526

Citizen of: United States

Post Office Address: 1707 St. Helena Drive, Danville, CA 94526

Full Name of Inventor: Horen Chen

Inventor's Signature: Horen Chen Date: Nov. 4, 2000

Residence Address: 19567 Chardonnay Court, Saratoga, CA 95070

Citizen of: United States

Post Office Address: 19567 Chardonnay Court, Saratoga, CA 95070

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